

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

LORENZO MORENO,

Plaintiff,

v.

UNITED STATES GOVERNMENT,

Defendant.

Case No. 3:23-cv-00413-ART-CLB

ORDER

Pro se Plaintiff Lorenzo Moreno brings this action under 42 U.S.C. § 1983. Plaintiff alleges that he was incarcerated for six years for a crime he did not commit, and that during his incarceration he was “sexually harass[ed], intercourse numerous times by the United States govirment [sic] throughout technologe[y] [sic] including torture numerous times.” (ECF No. 1-1 at 5.) Before the Court is the Report and Recommendation (“R&R” or “Recommendation”) of United States Magistrate Judge Carla Baldwin (ECF No. 6), recommending the Court dismiss with prejudice Plaintiff’s complaint (ECF No. 1-1) and deny as moot Plaintiff’s *in forma pauperis* (IFP) application (ECF No. 5). Plaintiff had until September 22, 2023 to file an objection. To date, no objection to the R&R has been filed. For this reason, and as explained below, the Court adopts the R&R, and will dismiss with prejudice Plaintiff’s complaint (ECF No. 1-1) and deny as moot Plaintiff’s IFP application (ECF No. 5).

The Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Where a party fails to object to a magistrate judge’s recommendation, the Court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985); *see also United States v.*

1 *Reyna-Tapia*, 328 F.3d 1114, 1116 (9th Cir. 2003) (“De novo review of the
2 magistrate judges’ findings and recommendations is required if, but *only* if, one
3 or both parties file objections to the findings and recommendations.”) (emphasis
4 in original); Fed. R. Civ. P. 72, Advisory Committee Notes (1983) (providing that
5 the Court “need only satisfy itself that there is no clear error on the face of the
6 record in order to accept the recommendation.”).

7 Because there is no objection, the Court need not conduct de novo review,
8 and is satisfied Judge Baldwin did not clearly err. Here, Judge Baldwin
9 recommends dismissing the complaint with prejudice and denying as moot the
10 IFP application because Plaintiff provides no claims for relief and does not
11 identify the factual or legal or legal basis for his claims. (ECF No. 6 at 4.) The
12 Court agrees with Judge Baldwin. Having reviewed the R&R and the record in
13 this case, the Court will adopt the R&R in full.

14 It is therefore ordered that Judge Baldwin’s Report and Recommendation
15 (ECF No. 6) is accepted and adopted in full.

16 It is further ordered that Plaintiff’s complaint (ECF No. 1-1) is dismissed
17 with prejudice.

18 It is further ordered that Plaintiff’s IFP application (ECF No. 5) is denied as
19 moot.

20 It is further ordered that the Clerk of Court file the complaint (ECF No. 1-
21 1).

22 It is further ordered that the Clerk of Court is directed to close the action
23 and enter judgment accordingly.

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25 DATED THIS 10th Day of October 2023.

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28 ANNE R. TRAUM
UNITED STATES DISTRICT JUDGE